



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**

December 9, 2021

**VIA EMAILED PDF**

Sanjay Bajaj

[sbajaj40@gmail.com](mailto:sbajaj40@gmail.com)

**RE: 2711 13<sup>th</sup> St NE DC - PDRM - ZONING CONFIRMATION**

- Note: This project is based on the previous ***approved Permit, B1808904*** dated 03/10/2021. The PDRM addresses proposed design improvements and additional units in the English Basement.

Dear Sanjay Bajaj:

This letter is to confirm discussion points of Zoning PDRM held between Zoning Technician Shawn Gibbs and Property Owner Sanjay Bajaj, with ADG+G attendees, on November 12<sup>th</sup>, 2021.

The subject property is in MU-4 District and is located SQUARE 3956 LOT 0036. The property is not in a Historic district. The Lot area is 23,527 SF and is currently vacant. The proposed project be involve the construction of a new all-residnetial building with 80 dwelling units. The property is within 0.5 miles of the Rhode Island-Brentwood Metro Station. A subdivision plat is not needed, as one was previously approved.

Below is a summary of the key Zoning aspects that were discussed:

1. **Use:** The subject MU-4 zone permits mixed use and/or residential developments. The proposed project is residential-only.

*Per SubG-100.4: In the MU zones, buildings may be entirely residential, or may be a mixture of non-residential and residential uses.*

2. **Lot Occupancy:** The maximum allowable lot occupancy is 75% with IZ developments. The proposed development lot coverage is 58.6% [See Sheet A002 of the attached plan set]. Awnings are included in lot coverage.

*(Per Subtitle G-404.1)*

Zone	Maximum Lot Occupancy for Residential Use (%)
MU-4	60 75 (IZ)

3. **Floor Area Ration [FAR]:** The maximum allowable FAR with Inclusionary Zoning [IZ] is 3.0. The permissible habitable penthouse FAR is 0.4. The proposed FAR is 2.82, which is within the 3.0 allowed FAR. 1<sup>st</sup> thru 4<sup>th</sup> floor Levels and an English Basement level is counted in the FAR calculations. The lowest cellar level is not included in the FAR calculation. *(Per Subtitle G-402.1)*

#### 402 DENSITY – FLOOR AREA RATIO (FAR)

- 402.1 The maximum permitted FAR in the MU-3 through MU-10 zones shall be as set forth in the following table:

TABLE G § 402.1: MAXIMUM PERMITTED FLOOR AREA RATIO

Zone	Maximum FAR	
	Total Permitted	Maximum Non-Residential Use
MU-3A	1.0	1.0
	1.2 (IZ)	
MU-3B	2.0	1.5
	2.4 (IZ)	
MU-4	2.5	1.5
	3.0 (IZ)	

4. **Inclusionary Zoning [IZ]:** The project will contain IZ units. IZ calculations will be submitted for review the CIZC from at the time of building permit submittal. IZ unit allocations are attached A004B of the attached Plan Set.
5. **Building Height:** The proposed development includes four (4) stories and an English Basement above grade, and a cellar level at below grade.

The Building Height Measuring Point [BHMP] is measured from the top of the curb opposite the center of the building facade on 13<sup>th</sup> St NE to the top of parapet; The proposed Building Height is 48 feet 4 inches, which is within the 50'-0" maximum allowable height. There is no limit on the number of storis in the subject MU-4 zone.

English basement has altered grade and is added to overall FAR calculations. The cellar level has areaways that will not project more than 5'-0" beyond property line, the areaways will not be considered as change to the grade.

*(Subtitle B-307.1)*

*In other than residential zones, as defined in Subtitle A § 101.9, and except as permitted elsewhere in this section and the regulations, the building height measuring point (BHMP) shall be established at the level of the curb, opposite the middle of the front of the building, and the building height shall be the vertical distance measured from the BHMP to the highest point of the roof or parapet or to a point designated by a specific zone district; except that Alley Lots shall be regulated by Subtitle B § 307.8.*

*Per (Subtitle G-403.1) number of stories is not prescribed.*

6. **Penthouse Height and Setbacks:** The project will include a habitable penthouse level. Per *Subtitle G-403.3* penthouse height is limited to 12 ft and 1 story. Penthouse height is allowed additional to the building height. The proposed penthouse is 10 feet eight (8) and 1/8 inches in height which complies. The penthouse is set back 1:1 from front, rear and both sides of the roof edge.
7. **Penthouse FAR:** The allowable penthouse FAR is within 0.4 PH FAR area, it is excluded from building FAR, kept as separate PH FAR. Per (*Subtitle C-1503.1.c*). The penthouse provided FAR is at 0.34.
8. **Side Yard:** The side yard setback is 2" per 1'-0" of height and no less than 5 feet. For a 48 foot , 4 inch building the calculated side yard requirement is 8.05 feet. **A side yard setback of 8.05 foot side yard will be required on both sides, the north and south sides of the property.** Per *Subtitle-G 406.1*

*No side yard is required for a building or structure other than a detached single dwelling unit or semi-detached single dwelling unit; however, if a side yard is provided it shall be at least two inches (2 in.) wide for each one foot (1 ft.) of height of building but no less than five feet (5 ft.).*

9. **Rear Yard:** A minimum rear yard of 15' is required in an MU-4 zone. A rear yard setback of 15'-1 1/2" is provided on west of the property line. (*Subtitle G-405.2*)

*A minimum rear yard of fifteen feet (15 ft.) shall be provided in the MU-4, MU-5, and MU-6 zones.*

10. **Off-Street parking:** As per Subtitle G-103, and Subtitle C Chapter 7 and 8, the applicable parking requirement is 1 parking space every 3 dwelling units, in excess of 4 units.

The project proposes 80 dwelling units, which would result in 25.33 spaces [rounded to 25]. However, as per *Subtitle C 702.1* for properties located within 0.5 mile of metro rail station, a 50% reduction of the parking requirement is applied. The subject property is 0.5 miles from the Rhode Island/Brentwood Metrorail Station; so therefore 13 spaces is the adjusted requirement. Finally, two (2) parking spaces are to be *car share spaces* pursuant to Subtitle C-708.2 (each car-share counts as 3 parking space), and 1 space will be an Accessible Van parking space. The resultant number of actual spaces on the site is 10, which is shown on the attached site plan. All spaces will be screened from street on the adjacent lot per agreement with adjacent lot ownership.

11. **Bike Parking:** Required bicycle parking is 1 long term space per 3 dwelling units and 1 short term space per 20 units. A total of 34 long term bike spaces are provided indoors in cellar level, with Dero Duplex bike parking system, and 4 short term exterior spaces are provided on 13<sup>th</sup> street NE adjacent to building entrance. As the structure has a basement and sub-cellar, the required bicycle spaces can be located in the 1st cellar level. (*Subtitle C – 805.2*)

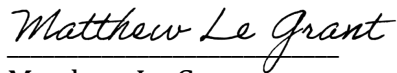
*Required long-term bicycle parking spaces shall be located no lower than the first cellar level or the first complete parking level below grade, and no higher than the first above-grade level. Spaces shall be available to employees, residents, and other building occupants.*

12. **Trash room:** A trash room will be provided accessible from the parking lot to the south of the property. Subtitle C-907.1. Lighting and screening is provided.
13. **Loading and Delivery:** Pursuant to Subtitle C-901.1, one Loading Berth with platform and one service/delivery space is provided on the south side of the property.
14. **Green Area Ratio [GAR]:** A GAR of 0.3 will be met, including the provision of a green roof. A detailed GAR plan will be submitted at the time of building permit application submittal.

Accordingly, when building permits are filed for, my office will approve permits for this property consistent with the above presented zoning criteria and compliance information.

Please let me know if you have any further questions.

Sincerely,



Matthew Le Grant  
Zoning Administrator

Attachments: Plan Set dated 11/03/2021.

Reviewer: Shawn Gibbs

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore, this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.